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15 **UNITED STATES BANKRUPTCY COURT
 16 DISTRICT OF NEVADA**

17 IN RE:

18 THE RHODES COMPANIES, LLC,
 19 Aka "Rhodes Homes", et al.,

20 Reorganized Debtors.¹

21 Affects:

22 All Debtors
 23 The following Debtor(s)

24 Case No. BK-09-14814-LBR
 (Jointly Administered)

25 Chapter 11

26 **MOTION FOR ORDER REQUIRING
 27 PRODUCTION OF ONE OR MORE
 28 CORPORATE REPRESENTATIVES FOR
 29 EXAMINATION IN ACCORDANCE WITH
 30 FEDERAL RULE OF BANKRUPTCY
 31 PROCEDURE 2004**

32 [No hearing required]

33 In accordance with Federal Rule of Bankruptcy Procedure 2004, the Litigation Trust of
 34 The Rhodes Companies, LLC, et al. (the "Litigation Trust" or "Movant") hereby moves this
 35 Court for an order requiring that City National Bank (the "CNB") produce one or more corporate
 36 representatives for examination on a business day no earlier than fourteen (14) business days
 37

38 ¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number,
 39 if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes Ranch General
 40 Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837); Jackknife, LP (6189);
 41 Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730); Tuscany Acquisitions, LLC
 42 90206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777); Tuscany Acquisitions IV, LLC
 43 (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J Holdings, Inc. (1315); Rhodes Ralty,
 44 Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes Homes Arizona, LLC (7248); Rhodes Arizona
 45 Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers Holdings, LLC (8451); Elkhorn Partners, A Nevada
 46 Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho Concrete, LLC (6966); Geronimo Plumbing, LLC (6897);
 47 Apache Framing, LLC (6352); Tuscany Golf Country Club, LLC (7132); Pinnacle Grading, LLC (4838).

1 after the entry of an order granting this Motion, or at such other mutually agreeable location,
2 date, and time, and continuing from day to day thereafter until completed.

3 This Motion is further explained in the following Memorandum.

4 **Memorandum**

5 The Litigation Trust seeks information concerning the Reorganized Debtors and their
6 pre-bankruptcy acts, conduct, property, liabilities and financial condition. Specifically, the
7 Litigation Trust seeks information concerning banking and financial services provided by CNB
8 to the Reorganized Debtors. The Litigation Trust seeks this information from CNB to assist in
9 the collection of the assets and the investigation of the liabilities of the Reorganized Debtors.

10 The requested discovery from CNB is within the scope of examination permitted under
11 Rule 2004, which includes:

12 [t]he acts, conduct, or property or . . . the liabilities and financial condition of the
13 debtor, or . . . any matter which may affect the administration of the debtor's
14 estate, or to the debtor's right to a discharge. In a . . . reorganization case under
15 chapter 11 of the Code, . . . the examination may also relate to the operation of
16 any business and the desirability of its continuance, the source of any money or
17 property acquired or to be acquired by the debtor for purposes of consummating a
plan and the consideration given or offered therefore, and any other matter
relevant to the case or to the formulation of a plan.²

18 **Conclusion**

19 Accordingly, the Litigation Trust requests that this Court enter the form of order
20 submitted with this Motion.

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² FED.R. BANKR. P. 2004(b).

1 Dated: February 24, 2012.
2

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*Local Counsel for the Litigation Trust of
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CERTIFICATE OF SERVICE

I hereby certify that I am employee of the law firm of DIAMOND MCCARTHY LLP, and that on the 24th day of February 2012, a true and correct copy of the foregoing **MOTION FOR ORDER REQUIRING PRODUCTION OF ONE OR MORE CORPORATE REPRESENTATIVES FOR EXAMINATION PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004** was served by the Court's CM/ECF system to:

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